THE HONOUABLE SRI JUSTICE V.ESWARAIAH

W.P. No. 14992 of 2007

Date:16-07-2007

Between:

Perka Shankar .. **PETITIONER**

AND

The Revisional Authority, under APSALTR-cum-Additional Secretary, SW,Govt. of A.P. Hyderabad and three others .. **RESPONDENTS**

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ORDER:

The petitioner seeks a writ of mandamus to direct the respondents to hand over the physical possession of the agricultural land of the petitioner i.e. Ac.5.00 guntas of land situated in Sy.No.12 of Pippaldhari village, mandal and district, Adilabad.

The case of the petitioner is that as against the orders of the Special Deputy Collector, Tribal Welfare, Adilabad in Case No.TW.A2/880/96, dated 21.05.1997 ordering ejectment of the petitioner from an extent of Ac.5.00 guntas in Sy.No.12/3 situated at Pippaldhari village, Adilabad mandal and District, the petitioner filed an appeal before the Additional Agent to the Government and the appellate Authority by Proc.No.A4/12/1999, dated 29.07.2006 dismissed the appeal confirming the order of the Special Deputy Collector. It is stated that as against the said order, the petitioner filed revision before the Government and the revisional Authority by the impugned order, rejected the stay application by order, dated 20.02.2007. It is stated that the revision is pending. It is further stated that pending disposal of the appeal, this Court by order, dated 11.07.2005 in W.P.No.14811 of 2005 directed the respondents not to dispossess the petitioner from the suit schedule property.

It is stated that when the statutory revision is pending, it may not be just and proper to the first respondent to dispossess the petitioner from the petition schedule property.

Having regard to the facts and circumstances of the case, I am of the opinion that, as the revision is pending before the first respondent, the first respondent is directed to dispose of the main revision itself and pending disposal of the said revision, status quo as

on today with regard to the possession of the suit land shall be maintained.

Accordingly, the writ petition is disposed of. No costs.

V.ESWARAIAH, J.

Date:16.07.2007
ccm